

A regular meeting of the Board of Selectmen was held on Wednesday, June 10, 2015, at 6:00 p.m., in the Francis O'Brien Meeting Room, Town Office Building, 26 Bryant Street, Dedham, Massachusetts.

Present were:

Dennis J. Guilfoyle  
James A. MacDonald  
Dr. Dennis J. Teehan, Jr.  
Brendan G. Keogh

Selectman Michael Butler was out of Town and not present for this meeting.

Mr. Guilfoyle called the meeting to order at 6:10 p.m.

### **PLEDGE OF ALLEGIANCE**

Mr. Guilfoyle led the audience in the Pledge of Allegiance.

### **DEDHAM CITIZENS – OPEN DISCUSSION**

There were many residents and visitors in the audience who were here this evening to voice their concerns and opposition to the Algonquin Pipeline Project. The following discussion took place with the audience:

On behalf of the Board of Selectmen, Mr. Guilfoyle thanked everyone for coming in this evening. Relative to the Algonquin Pipeline Project, Mr. Guilfoyle asked that a few members of the group speak. He went on to say that the Board knows why you are all here, we appreciate the support and the Board does oppose this project and taking every legal way that it possible to stop this project.

Mr. Guilfoyle commented publically, that are U.S. Senators and U.S. Congressmen need to get involved and we need to get the red shirts and bodies to them and let them know how much concern everyone has with this project. Mr. Guilfoyle opened up the discussion and asked if anyone would like to speak relative to the project.

**Jessica Porter, 4 Willow Street**—Ms. Porter mentioned a few things:

- The group tried to all wear red so that the Board could see that although you may hear from a few of us; however, they are significant voice with a lot of commitment. She went on to say that she thought there was a lot to be got out of Dedham; and in one week, the group has mobilized an incredible amount of energy against this project.
- Ms. Porter informed the Board that the group appreciates the Board's opposition and appreciate how much the Board has been working with Town Counsel to fight the project and this group is here this evening to support the Board of Selectmen and are behind the Board every step of the way. Additionally, the group is trying to be beside the Board as well as in front of you

- Ms. Porter informed all that twenty-two residents have hired an attorney to file an Appeal of the Conservation Commission decision and, therefore, they are taking their own action to try to stop the project as well. She went on to say that the group wants to show the Board as well as the investors and Board of Directors of Spectra and Algonquin that this Town is mobilized, prepared to fight and are in it for the long haul.
- Ms. Porter specifically asked the Board to continue to do everything possible to stop this project. She went on to say that the group is aware that this will cost taxpayer money and the group is behind it. Ms. Porter informed the Board that the group supports Town Counsel fees and any other fees that incur relative to action. Additionally, she spoke about the number of different avenues, i.e., the historic angle, the environmental angle or anything that can be done and commented that the group supports the Board in whatever can be done.
- Ms. Porter informed the Board that they can use the group's support to apply leverage as They are also applying leverage to the Federal and State officials.

Ms. Porter thanked the Board of Selectmen. Mr. Guilfoyle thanked Ms. Porter.

**Charles Derber, 20 Colburn Street –**

- Mr. Derber informed the Board that he was part the original group of people who filed for the community to make the suit against the Conservation Commission. Mr. Derber went on to say that the group is very appreciative of the Board of Selectmen's move now to make a legal filing against FERC—the group knows that this is a long-short given the federal politics involved.
- Mr. Derber commented that he wanted to express that this is part of a national story and Dedham could be an important part of this story. Mr. Derber informed all that he has been in contact, fairly extensively, with Senator Elizabeth Warren, with Senator Edward Markey and also have been speaking relative to this matter with a Boston Globe who will, hopefully, do a story about this project. He went on to say that this is a story about the energy future of New England. Also, a story about the role of big financial companies that are behind Spectra and a story about Dedham, which is being used as a Way Station—a dumping station for the use of fuel that is not going to be used in this Town.
- Mr. Derber informed all that the key here is working with the Board of Selectmen and the community—up until this point, the coordination has not been strong and now everyone would like to work together as strong as possible to make this work. Mr. Derber informed the Board that the group needs the Board to go all the way with them because they are going to go all the way to stop this project.

Mr Derber thanked the Board of Selectmen. Mr. Guilfoyle thanked Mr. Derber.

**Margaret Whitfield, 255 East Street—**

- Ms. Whitfield commented that she has the pleasure of having the Spectra Energy Gas Pipeline come directly in front of her home. She went on to say that she was confident That every single member of the Board of Selectmen have made the best decision and are deeply committed to the citizens of Dedham. Additionally, she was confident that the Board will continue to have careful consideration of all of the parties, with careful regard for the information presented to the Board; however, in the issuing of the permits to Spectra Energy to begin digging up the streets, the Board's decision does not match the will of the residents—as the Board can see today.
- Ms. Whitfield commented that the Board's careful, tempered, conservative decision is a mistake and the residents of East Street and Dedham ask that the Board take some fault relative to the following measures: Rescind all the permits made to Spectra Energy that allow the construction of this pipeline to begin before the whole process has been completed by the Federal Government; Rescind all permits made to Spectra for staging of equipment within the proximity of residential neighborhoods (Ms. Whitfield informed all that she has the staging equipment at one end of her street and at the other end of the street.); Hire an expert attorney specializing in matters of environmental energy, federal or leverage law to provide expert and adequate advice to the Board of Selectmen and to the citizens of Dedham; Ask that the Board of Health consider holding Public Hearing pursuant to some Massachusetts General Law that requires that they determine safety and health costs of this project to the Town's investment to the Town of Dedham.
- Ms. Whitfield commented that the Board's reasoning for rescinding the permits issued would open the Town to unnecessary legal action by Spectra is flawed. She went on to say that, when there is a gas leak, not if, when; when there is an explosion, not if, the Town will have even much more significant costs then a few legal bills. Ms. Whitfield commented that the economic safety and health costs do not compare to a few possible legal bills incurred by the Town in the short money.
- Ms. Whitfield informed the Board that she is deeply confident that the Selectmen will carefully weigh all the options provided to the Board, provide the residents a thoughtful response to each of the Board's actions relative to this project and she was confident that the Board will keep the residents of Dedham informed all along the way. Additionally, she was confident that the Board will stand with the residents of Dedham in opposition to this project and take any means necessary to do so.

Ms. Whitfield thanked the Board of Selectmen.

Selectman Teehan asked if he could say a few things—he commented, good job, Margaret. Dr. Teehan informed all that the reason why the permits were issued initially was because the Board did not want to be the plaintiff in an Eminent Domain Suit. Additionally, because of their federal authority, could have come after the Town and basically sued the Town. He went on to say that the Board was advised that it would be a fast track and the Town would have lost within a day or two. He went on to say that although the Board opposes the project staunchly and was appreciative of what Ms. Whitfield said, the reason why the Board issued the permits was because the Board felt it was not a meaningful way to oppose the project because of the Eminent Domain suit and the 100% likelihood that Spectra would win

it was the advice the Board was given and unnecessary costs to the residents. Dr. Teehan commented that he was definitely committed to trying to find some way to oppose this project; and if he thought that there was even a small chance of stopping or delaying the project, he would be all for it. (Dr. Teehan commented that the Board will be discussing this matter further during the Executive Session.) Dr. Teehan thanked Ms. Whitfield for her well-thought comments.

**Fred Martin, 50 Village Avenue—**

Mr. Martin commented that he would like to cite the example of the town of Sugar Hill, New Hampshire, which has a power line with large towers they built through the town through eminent domain. Mr. Martin informed all that the town passed an ordinance based on a different set of rights—the natural rights of earth in the town and the citizens. Mr. Martin informed all that at the end of the whole thing was that any permit that the Town's selectmen were to issue would be void unless there was a vote of the people in the town of the power line. He went on to say that the ordinance was effective five minutes after the Town Meeting and it was unanimously passed. Mr. Guilfoyle thanked Mr. Martin.

**Colburn Street Resident—**

Resident informed the Board that she has heard that the City of Boston has not issued permits to Spectra for West Roxbury. She asked the Board to consider this fact going forward. The resident thanked the Board of Selectmen. Mr. Guilfoyle thanked the resident.

**Virginia Hickey, 264 East Street—**

Ms. Hickey commented that she would like to echo what Margaret Whitfield said—she fully supported her statements. She went on to say that even if it means the Town loses if the permits are rescinded, she felt that the Town should do it, just do it and this will give them some time. Ms. Hickey commented that they need some time to fight and to get organized. Mr. Guilfoyle thanked Ms. Hickey.

At the conclusion of the discussion, Mr. Guilfoyle thanked everyone for coming in this evening. Additionally, he wanted everyone to know that the Board of Selectmen have opposed this project and running a parallel. Mr. Guilfoyle informed all that everything the Selectmen have done to this point they had to do legally, otherwise the Town would have been sued immediately. Once again, he informed the group that the Selectmen are against this project and they need the group behind them, the good ideas and thinking outside the box. Mr. Guilfoyle thanked the group and commented that the Board will be in touch soon.

**TO ACCEPT AND AWARD BIDS FOR SERIES A AND SERIES B BONDS DATED JUNE 15, 2015**

Present was: Jane Lepardo, Town of Dedham Collector/Treasurer

Ms. Lepardo commented that the first Bond was a Series A that was for 3.7 Million Dollars for various items, i.e., road work, sidewalk work, Fire Truck and some other equipment, IT Equipment. The interest cost for the winning bid was 1.96% with premium of \$96,047.57. She went on to say that the Town received eight bids, which was very good. Ms. Lepardo informed the Board that the Town was reconfirmed the AAA Bond Rating from Standards and Poor. She went on to say that this was very good for the Town. Ms. Lepardo commented that this bond matures in fifteen years.

Ms. Lepardo commented that the second bond is a taxable issue and, therefore, the interest rate is higher and interest cost is 3.56%—this is because it was sold taxable due to the Robin Reyes Fund. She went on to say that this was the project money for the Municipal Campus Project, the balance of the purchase price, plus some additional funds for the architect, OPM and relocation costs—this will prolong the term for a total of twenty years.

Ms. Lepardo informed all that this is a wonderful thing the Town is doing in terms of the Robin Reyes Fund—funding these large capital projects; however, because the IRS, Tax Attorney and Bond Counsel Law Firm has recommended that the Town do it this way.

Ms. Lepardo informed the Board she is not permanently bonding the \$600,000.00 BAN, yet, because of the Town's upcoming ECEC project, permanent location and the fact that there will be some State Aid.

Mr. MacDonald made a motion that both the sale of the \$3.707,270 Million Dollars General Obligation Municipal Purpose Loan of 2015 Bonds, Series A as listed and that the sale of \$2.9 Million General Municipal Purpose Loan, listed as Series B, as outlined be approved; seconded Mr. Keogh. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. MacDonald, yes; and Mr. Guilfoyle, yes. (Mr. Butler was not present and did not vote relative to this matter.) (A copy of the above-mentioned loan document is on file in the Town Manager's Office.)

Mr. MacDonald made a motion to approve the BAN Sale of \$600,000.00 as listed; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. MacDonald, yes; and Mr. Guilfoyle, yes. (Mr. Butler was not present and did not vote relative to this matter.)

**REQUEST FROM THE DEDHAM MOOSE CLUB FOR ONE-DAY OUTSIDE SERVICE OF ALCOHOL ON WEDNESDAY, JUNE 17, 2015**

Present was: Doug Grier, Administrator, Dedham Moose Club

Mr. Grier informed the Board that he was here this evening to request a one-day extension of premises for outside service of alcohol at the Dedham Moose Club, 79 Lower East Street, for a Membership Appreciation Night /Horse Shoe Barbeque to be held on Wednesday, June 17, 2015, from 5:00 p.m. until 10:00 p.m.

Mr. Grier informed all that the purpose of the function was to show respect to the membership. He went on to say that there have been no incidents at the club in ten years. Going forward, he informed the Board that he will be back again to request two more outside extensions for functions and, hopefully in the future, the club will ask for approval of permanent outside service. Mr. Grier commented that the proceeds from this function will go to charity.

Mr. Grier informed the Board that there will be three Club Officers on duty. Additionally, he will personally sit outside the perimeter of the space. He commented that drinks will be served guests in plastic cups inside of the Moose Club and then they can bring them to the outside function/horse shoe area. Mr. Grier informed the Board that clean-up will take place before 10:00 p.m.

Dr. Teehan made a motion to approve a one-day extension for outside service of alcohol at the Dedham Moose Club on Wednesday, June 17, 2015, from 5:00 p.m. until 10:00 p.m.; seconded by Mr. Keogh. **On**

**the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. MacDonald, yes; and Mr. Guilfoyle, yes. (Mr. Butler was not present and did not vote relative to this matter.)

At the conclusion of the vote, the Selectmen wished Mr. Grier good luck with the function.

**REQUEST FROM KATHY BEDARD FOR PERMISSION TO HOLD THE MARLBORO STREET NEIGHBORHOOD BLOCK PARTY ON JUNE 27, 2015, FROM 4:00 P.M. UNTIL 12:00 P.M.**

Mr. MacDonald made a motion to approve the Marlboro Street Block Party on June 27, 2015, from 4:00 p.m. until 12:00 p.m.; seconded by Dr. Teehan. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. MacDonald, yes; and Mr. Guilfoyle, yes. (Mr. Butler was not present and did not vote relative to this matter.)

**APPROVAL OF SELECTMEN'S MEETING MINUTES**—Due to the fact that Mr. Butler was not present this evening, Mr. Guilfoyle asked that the Board's Meeting Minutes be held over for review/vote until the June 18, 2015, Selectmen's Meeting.

Mr. MacDonald made a motion to enter into Executive Session pursuant to G.L. c. 30A, Section 21(a)(3)—Pending Litigation to discuss legal strategy and options regarding FERC administrative approval of Algonquin Pipeline Project; seconded by Mr. Keogh. **On the Vote:** Mr. Keogh, yes; Dr. Teehan, yes; Mr. MacDonald, yes; and Mr. Guilfoyle, yes. (Mr. Butler was not present and did not vote relative to this matter.)

The meeting adjourned at 8:15 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Board of Selectmen's Meeting held on June 10, 2015, which Minutes were approved on July 9, 2015.

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Dennis J. Guilfoyle, Vice-Chairman